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Attorneys for Defendant
COOPERVISION, INC.

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

JOHN MACHIKAWA, et al.,

Plaintiffs,

v.

COOPER VISION, INC., et al.,

Defendants.

CASE NO. 3:15-cv-01001-HSG

**DEFENDANTS' JOINT ADMINISTRATIVE
MOTION TO CONTINUE CASE
MANAGEMENT CONFERENCE**

**[FILED PURSUANT TO CIVIL L.R. 16-2(d)
AND L.R. 7-11]**

The Honorable Haywood S. Gilliam, Jr.
Courtroom 15, 18th Floor

RACHEL MILLER, et al.,

Plaintiffs,

v.

ALCON LABORATORIES, INC., et al.,

Defendants.

CASE NO. 3:15-cv-01028-HSG

SUNEETA FERNANDES,

Plaintiff,

v.

ALCON LABORATORIES, INC., et al.,

Defendants.

CASE NO. 3:15-cv-01045-HSG

STEPHEN MANGUM,

Plaintiff,

v.

COOPERVISION, INC., et al.,

Defendants.

CASE NO. 3:15-cv-01064-HSG

KIMBERLY MARTIN,

Plaintiff,

v.

ALCON LABORATORIES, INC., et al.,

Defendants.

CASE NO. 3:15-cv-01090-HSG

SUSAN G. GORDON,

Plaintiff,

v.

COOPER VISION, INC., et al.,

Defendants.

CASE NO. 3:15-cv-01092-HSG

MATTHEW J. CARDAMONE,

Plaintiff,

v.

ALCON LABORATORIES, INC., et al.,

Defendants.

CASE NO. 3:15-cv-01093-HSG

GLORIA GOLDBLATT,

Plaintiff,

v.

ALCON LABORATORIES, INC., et al.,

Defendants.

CASE NO. 3:15-cv-01095-HSG

SERGE PENTSAK, et al.,

Plaintiffs,

v.

COOPERVISION, INC., et al.,

Defendants.

CASE NO. 3:15-cv-01097-HSG

JULIANA BRODSKY,

Plaintiff,

v.

COOPER VISION, INC., et al.,

Defendants.

CASE NO. 3:15-cv-01123-HSG

DUSTY PRICE, et al.,

Plaintiffs,

v.

ALCON LABORATORIES, INC., et al.,

Defendants.

CASE NO. 3:15-cv-01124-HSG

BENJAMIN W. HEWITT, et al.,

Plaintiffs,

v.

ALCON LABORATORIES, INC., et al.,

Defendants.

CASE NO. 3:15-cv-01196-HSG

JOANNE BUCKLEY, et al.,

Plaintiffs,

v.

COOPER VISION, INC., et al.,

Defendants.

CASE NO. 3:15-cv-01212-HSG

BRETT WATSON,

Plaintiff,

v.

COOPER VISION, INC., et al.,

Defendants.

CASE NO. 3:15-cv-01276-HSG

MARILYN MARLENE DEDIVANAJ,

Plaintiff,

v.

COOPERVISION, INC., et al.,

Defendants.

CASE NO. 3:15-cv-01281-HSG

BEN HAWKINS,

Plaintiff,

v.

ALCON LABORATORIES, INC., et al.,

Defendants.

CASE NO. 3:15-cv-01297-HSG

LANA OHMES, et al.,

Plaintiffs,

v.

ALCON LABORATORIES, INC., et al.,

Defendants.

CASE NO. 3:15-cv-01301-HSG

KEVIN MOY,

Plaintiff,

v.

COOPERVISION, INC., et al.,

Defendants.

CASE NO. 3:15-cv-01340-HSG

GORDON MAH, et al.,

Plaintiffs,

v.

ABB CONCISE OPTICAL GROUP, LLC.,
et al.,

Defendants.

CASE NO. 3:15-cv-01406-HSG

SERGIO CASTILLO,

Plaintiff,

v.

COOPER VISION, INC., et al.,

Defendants.

CASE NO. 3:15-cv-01408-HSG

AMANDA CUNHA,

Plaintiff,

v.

ALCON LABORATORIES, INC., et al.,

Defendants.

CASE NO. 3:15-cv-01413-HSG

DIEGO HERNANDEZ, et al.,

Plaintiffs,

v.

ALCON LABORATORIES, INC., et al.,

Defendants.

CASE NO. 3:15-cv-01544-HSG

RACHEL RONDY-GEOCARIS,

Plaintiff,

v.

COOPER VISION, INC., et al.,

Defendants.

CASE NO. 3:15-cv-01591-HSG

MELODIE ALLEY, et al.,

Plaintiffs,

v.

COOPER VISION, INC., et al.,

Defendants.

CASE NO. 3:15-cv-01646-HSG

RACQUEL DIZON-IKEI, et al.,

Plaintiffs,

v.

ALCON LABORATORIES, INC., et al.,

Defendants.

CASE NO. 3:15-cv-01898-HSG

ERIKA TARGUM,

Plaintiff,

v.

COOPER VISION, INC., et al.,

Defendants.

CASE NO. 3:15-cv-02065-HSG

DAVID L. MORSE,

Plaintiff,

v.

BAUSCH + LOMB, et al.,

Defendants.

CASE NO. 3:15-cv-02072-HSG

MADELEINE COLLINS, et al.,

Plaintiffs,

v.

ALCON LABORATORIES, INC., et al.,

Defendants.

CASE NO. 3:15-cv-02094-HSG

MARCIA PARKER,

Plaintiff,

v.

COOPER VISION, INC., et al.,

Defendants.

CASE NO. 3:15-cv-02129-HSG

Pursuant to Local Rule 16-2(d) and Local Rule 7-11, Defendants ABB Optical Group, Alcon Laboratories, Inc., Bausch & Lomb Incorporated, CooperVision, Inc., and Johnson & Johnson Vision Care, Inc. (collectively referred to as “Moving Defendants”) respectfully request that the Court continue the Case Management Conference (“CMC”) currently scheduled for June 30, 2015 in this case and all related cases currently pending before Your Honor and identified in Attachment 1.

Good cause exists to continue the CMC because all of these cases are slated to be transferred into an MDL proceeding along with other related actions filed across the United States. On May 28, 2015, the Judicial Panel on Multidistrict Litigation (“JPML”) heard argument on motions to transfer the above-captioned putative class actions, along with similar actions filed in other districts, to a single district for coordination or consolidation pursuant to 28 U.S.C. § 1407. *See In re: Disposable Contact Lens Antitrust Litigation*, MDL No. 2626.

The JPML will likely issue a decision within the next two weeks, but has not yet issued a decision regarding the motions to transfer. Although one of the districts under consideration is the Northern District of California, it is not certain where the actions will ultimately be transferred. Even after the JPML rules, the Clerk of the Court in each district where a case is pending will need to transfer the underlying action to the chosen MDL forum as the first step. Moreover, even if the JPML designates this district to preside over the MDL, the parties to each of the cases originally filed outside of this district would need to be notified of any hearing. To the extent that the CMC contemplates a meet-and-confer process in advance of the hearing, such discussions would need to include all of the parties to all of the cases as well. In order to conserve resources of the Court and the parties, Moving Defendants therefore seek to continue

the CMC pending resolution of the MDL petitions and the anticipated transfer of the actions to the designated MDL forum. A continuance will cause no disruption in the cases or prejudice to any parties; it is also consistent with the Court's Orders Continuing Deadlines for Defendants to Answer or Otherwise Respond to Complaints. *See, e.g., Machikawa et al. v. Cooper Vision, Inc. et al.*, Case No. 3:15-cv-01001-HSG, Dkt. #14 (March 31, 2015); *Watson v. Cooper Vision, Inc. et al.*, Case No. 3:15-cv-01276-HSG, Dkt. #9 (April 7, 2015); *Rondy-Geocarlis v. Cooper Vision, Inc. et al.*, Case No. 3:15-cv-01591-HSG, Dkt. #12 (May 5, 2015); *Alley et al. v. Cooper Vision, Inc. et al.*, Case No. 3:15-cv-01646-HSG, Dkt. #15 (May 26, 2015).

Moving Defendants attempted to confer with all other parties in the above-captioned cases regarding the proposed continuance—a number of the plaintiffs objected to adjourning the conference, certain other parties do not oppose doing so, and some parties did not respond or contacting them was not possible because counsel had yet to make an appearance. *See* Declaration of Elif Kimyacioglu, ¶ 2.

For the foregoing reasons, Moving Defendants respectfully request that this Court continue the CMC pending a decision by the JPML. Should the JPML choose to transfer the actions to the Northern District of California, Moving Defendants respectfully suggest that a CMC be set for a date approximately 30 days after all cases have been transferred to the Northern District of California.

Dated: June 5, 2015

By: /s/ Christopher S. Yates

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ATTESTATION

I, Christopher S. Yates, am counsel for Defendant CooperVision, Inc. I am the registered ECF user whose username and password are being used to file this Joint Administrative Motion to Continue Case Management Conference. In compliance with LR 5-1(i)(3), I hereby attest that the above-identified counsel concurred in this filing.

Dated: June 5, 2015

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